



AUG 30 2004

AF *tw*

Docket No. 46146-C2 (48340)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: P. Rhode et al.

Serial No.: 09/848,164

Examiner: VanderVegt, F.P.

Filed: May 3, 2001

Group Art Unit: 1644

For: MHC MOLECULES AND USES THEREOF

CERTIFICATION UNDER 37 C.F.R. 1.10*

(Express Mail label number is mandatory.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date August 26, 2004 in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EV 437 816 570 LIS addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Judy Daley
(type or print name of person mailing paper)

Judy Daley

Signature of person mailing paper

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. 1.191)

NOTE: An appeal may be based on one rejection in a prior application and one rejection in a continuing application. Notice of Oct. 10, 1997, 62 F.R. 53131, at 53167.

NOTE: There is no requirement for a notice of appeal to: (1) be signed; or (2) identify the appealed claims. Notice of Oct. 10, 1997, 62 F.R. 53131, at 53167.

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed February 26, 2004, finally rejecting claims 53-55; 57-63; 66-69; 71-76.

The item(s) checked below are appropriate:

08/30/2004 CNGUYEN 00000076 09848164

01 FC:2401
02 FC:2253

165.00 OP
475.00 OP

(Notice of Appeal from the Primary Examiner to Board—page 1 of 4)

1. STATUS OF APPLICANT

This application is on behalf of

☐ other than a small entity.
☒ a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(b), the fee for filing the Appeal Brief is:

☒ small entity **\$165.00**
☐ other than a small entity **\$330.00**

Notice of Appeal fee due \$ **165.00**

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 C.F.R. 1.191 are subject to the provision of § 1.136 for patent applications. 37 C.F.R. 1.191(d). (But see 37 C.F.R. 1.645 for extension of time in interference proceedings and 37 C.F.R. 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$420.00	\$210.00
<input checked="" type="checkbox"/> three months	\$950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

Fee \$ **475.00**

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- (a) ☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 475.00
or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 165.00
Extension fee (if any) \$ 475.00
TOTAL FEE DUE \$ 640.00

5. FEE PAYMENT

- ☒ Attached is a check in the sum of \$ 640.00.
☐ Charge Account No. _____ the sum of \$ _____.
A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

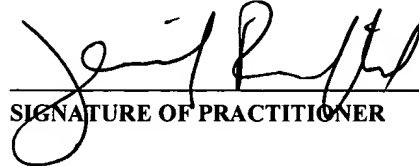
NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in resuming the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G 31-33.

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[X] If any additional extension and/or fee is required, this is a request therefor and to charge
Account No. 04-1105.

AND/OR

[X] If any additional fee for claims is required, charge Account No. 04-1105.



SIGNATURE OF PRACTITIONER

Jennifer K. Rosenfield

(type or print name of practitioner)

Reg. No. 53,531

EDWARDS & ANGELL, LLP

Tel. No. (617) 439-4444

P.O. Box 55874

P.O. Address

Customer No. 21874

Boston, Massachusetts 02205